

BEFORE THE IDAHO PUBLIC UTILITIES COMMISSION

IN THE MATTER OF THE INVESTIGATION)	
OF INTRASTATE PRESUBSCRIBED)	CASE NO. GNR-T-05-1
INTEREXCHANGE CARRIER (LPIC))	
CHANGE CHARGES)	NOTICE OF INVESTIGATION
)	
)	NOTICE OF MODIFIED
)	PROCEDURE
)	
)	ORDER NO. 29743
)	

The Federal Communications Commission (FCC) has ordered a new interstate presubscribed interexchange carrier (PIC) change charge to be tariffed on or before April 14, 2005 for interstate long distance carrier charges. The Idaho Commission has opened this docket to investigate intrastate PIC change charges that are tariffed at the state level.

NOTICE OF MODIFIED PROCEDURE

YOU ARE HEREBY NOTIFIED that on March 15, 2005, the FCC issued a Report and Order (47 C.F.R. Chapter I, CC Docket No. 02-53, FCC 05-32) revising its PIC charge policies. PIC change charges are federally tariffed charges imposed by incumbent local exchange carriers (ILECs) on end-user subscribers when these subscribers change their long distance carriers. The Report and Order requires ILECs to create separate PIC change charges based on the method used to process the request. Based on cost information submitted in the record of the proceeding, the Report and Order adopts safe harbors below which PIC change charges will be considered reasonable. These safe harbors are \$1.25 for electronically processed PIC changes and \$5.50 for manually processed PIC changes. Additionally, ILECs must also revise their federal tariffs to reflect a rate that is equal to 50 percent of the full PIC change charge rate when a customer requests a PIC change in conjunction with an intraLATA primary interexchange carrier (LPIC) change. These federal tariff revisions must be filed on or before April 14, 2005.

YOU ARE FURTHER NOTIFIED that the FCC's previous safe harbor was set at \$5.00. Under the safe harbor, companies could tariff a charge of up to \$5.00 without providing cost studies. If a carrier desired to tariff a higher charge, they had to provide cost support to

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justify the higher amount. The FCC's new safe harbor applies only to PIC changes for interstate long distance. IntraLATA PIC (LPIC) change charges are tariffed at the state level. Although the Idaho Commission has not formally established a safe harbor rate for LPIC change charges, it has established a precedent of approving a rate that is within the FCC's safe harbor of \$5.00 without requiring the company to submit detailed cost support. When the new rates for interstate PIC change charges becomes effective there will be a lack of consistency between the charges for changing PICs and LPICs. The consumer impact of any changes are difficult to identify without information on the extent to which Idaho's ILECs can process such change orders electronically.

YOU ARE FURTHER NOTIFIED that the Commission has opened this docket to investigate whether the LPIC change charges established by the Commission should coincide with the PIC change charges established by the FCC. Additionally, the Commission requests information from Idaho ILECs on their capabilities and actual usage levels of electronic processing for PIC/LPIC changes.

YOU ARE FURTHER NOTIFIED that the Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case and that the issues involved may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204. In so doing, the Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

YOU ARE FURTHER NOTIFIED that the Commission may not hold a hearing in this proceeding unless it receives written protests or comments opposing the use of Modified Procedure and stating why Modified Procedure should not be used. IDAPA 31.01.01.203.

YOU ARE FURTHER NOTIFIED that if no protests or written comments are received within the deadline, the Commission will consider the matter and enter its Order without a hearing. If protests or comments are filed within the deadline, the Commission will consider them and may, in its discretion, set the matter for hearing or decide the matter and issue its Order on the basis of the written positions before it. IDAPA 01.01.01.204.

NOTICE OF COMMENT/PROTEST DEADLINE

YOU ARE FURTHER NOTIFIED that **the deadline for filing written comments or protests** with respect to this matter and the Commission's use of Modified Procedure in Case

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No. GNR-T-05-1 is **21 days from the service date of this Order**. Persons desiring a hearing must specifically request a hearing in their written protests or comments.

YOU ARE FURTHER NOTIFIED that written comments concerning this case should be mailed to the Commission at the address reflected below.

Commission Secretary
Idaho Public Utilities Commission
PO Box 83720
Boise, ID 83720-0074

Street Address For Express Mail:
472 W. Washington Street
Boise, ID 83702-5983

These comments should contain the case caption and case number shown on the first page of this document. Persons desiring to submit comments via e-mail may do so by accessing the Commission's homepage located at www.puc.idaho.gov. Click the "Comments and Questions" icon, and complete the comment form, using the case number as it appears on the front of this document.


FINDINGS AND CONCLUSIONS

The Commission has preliminarily determined that the public interest may not require a hearing to consider the issues presented in this case, and that issues raised by the Company's filing may be processed under **Modified Procedure**, i.e., by written submission rather than by hearing. IDAPA 31.01.01.201-204. In so doing, the Commission notes that Modified Procedure and written comments have proven to be an effective means for obtaining public input and participation.

ORDER

IT IS HERBY ORDERED that this case be processed under Modified Procedure. Persons interested in submitting written comments regarding this case or protesting the use of Modified Procedure should do so no later than 21 days from the service date of this Order.

DONE by Order of the Idaho Public Utilities Commission at Boise, Idaho this 28th
day of March 2005.



PAUL KJELLANDER, PRESIDENT

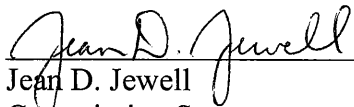


MARSHA H. SMITH, COMMISSIONER



DENNIS S. HANSEN, COMMISSIONER

ATTEST:



Jean D. Jewell
Commission Secretary

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